



DEPARTMENT OF LAW  
OFFICE OF THE  
Attorney General  
STATE CAPITOL  
Phoenix, Arizona 85007

December 9, 1976

R 76-387

BRUCE E. BABBITT  
ATTORNEY GENERAL

~~76-378~~

76-321

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ARIZONA ATTORNEY GENERAL

Mr. Robert J. Roberson, Esq.  
Deputy County Attorney  
Yuma County Attorney's Office  
P.O. Box 1048  
Yuma, Arizona 85364

Dear Mr. Roberson:

We have reviewed your opinion dated August 26, 1976,  
concerning the residency status of ex-members of the armed  
forces. We concur with your opinion.

Sincerely,

BRUCE E. BABBITT  
Attorney General

*Dale Pontius*

DALE E. PONTIUS  
Assistant Attorney General

BEB:DEP:eib





Office of  
County Attorney  
Yuma County  
Yuma, Arizona 85284

P.O. BOX 1043  
PHONE: 782-4534

August 26, 1976

Michael Irwin  
YUMA COUNTY ATTORNEY

Dr. John F. Cooper  
Associate Dean of Student Affairs  
Arizona Western College  
P. O. Box 929  
Yuma, Arizona 85364

Dear Dr. Cooper:

This opinion is in response to your request for an opinion on the following questions:

1. When a member of the armed forces, who has been considered an in-state resident for tuition purposes pursuant to Rule R7-1-23 (D)(1)(e) of the Rules and Regulations of the State Board of Directors for Community Colleges of Arizona, is discharged from the armed services, how should he be classified for tuition purposes assuming he is in continuous attendance at Arizona Western College?
2. Can a student be classified as an in-state resident for tuition purposes if his one-year domicile requirement will be completed during the semester for which he is attempting to enroll?

ANSWERS:

1. See body of Opinion.
2. No.

DISCUSSION:

1. A.R.S. §15-793(4) provides that a person does not gain or lose in-state status by reason of his presence in any state or country while a member of the armed forces of the United States except that a member of the armed forces may obtain in-state status for himself and his dependents by establishing his domicile in this state. A.R.S. §15-794 requires the State Board of Directors for Community Colleges to adopt guidelines that will insure uniform criteria to aid the institutions in determining the tuition status of any student. Pursuant to this authority, the Board adopted Rule R7-1-23(D)(1)(e) which states that members of the armed



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Michael Irwin  
YUMA COUNTY ATT

Dr. John F. Cooper

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August 26, 1976

A copy of this opinion is being sent to the Attorney General for his concurrence or revision.

Very truly yours,  
MICHAEL IRWIN  
YUMA COUNTY ATTORNEY

ROBERT J. ROBERSON  
DEPUTY COUNTY ATTORNEY

RJR/dgh

cc: The Honorable Bruce E. Babbitt  
Attorney General